

## **EXHIBIT 6**

Bryson, Santana and Joshua v. Rough Country, LLC

Page 1

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION

SANTANA BRYSON and JOSHUA BRYSON, )  
as Administrators of the Estate )  
of C.Z.B., and as surviving )  
parents of C.Z.B., a deceased )  
minor, )

Plaintiffs,

vs.

ROUGH COUNTRY, LLC,

Defendant.

) No.  
) 2:22-cv-17-RWS  
)  
)  
)  
)  
)  
)

VIDEOTAPED DEPOSITION OF CHARLES CROSBY, P.E.  
Phoenix, Arizona  
May 14, 2024  
9:00 a.m.

REPORTED BY:

Robin L. B. Osterode, CSR, RPR  
CA Certified Shorthand Reporter No. 7750  
AZ Certified Reporter No. 50695

1           A.     I told him I would have to go look at it,  
2           and get back to him. I went out and took a look at  
3           the crash test vehicles, and it appeared to me that  
4           the alignment was generally about what we lined up,  
5           it could have shifted maybe an inch or two, from what  
6           we had initially set up.

7           Q.     Okay. And you initially set up what  
8           alignment?

9           A.     If you look at my test report there's a  
10          diagram in the test report, I'm going to take a look  
11          at it so I can get you the right number here. In my  
12          test report I've got 10.9 inches of offset.

13          Q.     And how many inches of offset did you have  
14          in reality?

15          A.     I haven't measured it exactly, but just  
16          some quick estimations looks like maybe closer to  
17          12 inches.

18          Q.     And how did you make that estimation?

19          A.     If you look at this Ford emblem where it  
20          shows up here, in fact, on this picture that you've  
21          got and you kind of line up that D with the Ford  
22          Escape, and you make some estimates of where the  
23          center line of the vehicle is, relative to where the  
24          Escape emblem is and then relative to where the Ford  
25          emblem imprinted on that, you can measure

1 approximately an inch or two more than that 10.9  
2 inches, which puts you right at 12, 12 1/2 inches or  
3 so.

4 Q. Okay. And did you do this with, like, a  
5 measuring tape or with computer analysis or eyeball  
6 it, how did you figure this out?

7 A. I went out there and took a quick tape  
8 measure and just did some quick estimates on  
9 approximately where things were.

10 Q. Okay. If you wanted to drill down to  
11 specifics, what would you do?

12 A. I'd have to look at -- probably look at  
13 some scan data, either pre-test scan data, post-test  
14 scan data or get some models of some vehicles and  
15 really figure out exactly where this is, and line up  
16 the Ford emblem with that and then see what that  
17 overall alignment would be.

18 Q. But you have not done that yet, correct?

19 A. I have not done that, no.

20 Q. Are you going to do that?

21 A. I'm not planning on it, no.

22 Q. Okay. The -- strike that, I'm sorry.

23 Would you characterize the crash test that  
24 you did as an override crash?

25 A. Looking at the video there appeared to be

1           A.       Those -- those are typically a percentage  
2           and so it's not a specific number, because it's a  
3           percentage of the width of the vehicle. So a vehicle  
4           that's 60 inches wide, for example, I -- I -- if it's  
5           a 50 percent offset, and it's a 60-inch wide vehicle,  
6           then you're going to offset at 30 inches. If it's an  
7           80-inch-wide vehicle and you offset it 50 percent,  
8           it's going to be a 40-inch offset, so those offsets  
9           are typically given by percentage not by a specific  
10          number.

11          Q.       And under those test protocols, how -- how  
12          do they ensure that they've hit the offset mark?

13          A.       It depends on the protocol. There  
14          are -- in one of the protocols they actually put a,  
15          for lack of a better term, a marker pin on the front  
16          of the vehicle that they have set up pointing at a  
17          target and the target gives you a window that that  
18          marker pin has to be in in order for that to be  
19          considered a successful test.

20          Q.       And did you do that with your crash test?

21          A.       We did not.

22          Q.       And why not?

23          A.       It -- one, it's not following that specific  
24          protocol, and so that reference window would not  
25          necessarily mean anything in this particular case.

1 requirement.

2 Q. For which vehicle?

3 A. For the Ford Escape.

4 Q. Okay. And the other Escape that Exponent  
5 purchased did have a sunroof, correct?

6 A. That's correct.

7 Q. And why wasn't that Escape used in the  
8 crash test?

9 A. I think that Escape was the second one that  
10 we purchased, so we started prepping the first one.  
11 The first Escape that we started prepping is the one  
12 we used for the first test.

13 MS. CANNELLA: Okay. I'm going to hand you  
14 what I've marked as Plaintiffs' Exhibit 122, which is  
15 the vehicle purchase orders for the vehicles that  
16 Exponent purchased for the case.

17 (Marked for identification Exhibit 122.)

18 BY MS. CANNELLA:

19 Q. The first two invoices here are the  
20 vehicles that were used, as far as I can tell. The  
21 VINs match the VIN numbers in your report, you're  
22 welcome to confirm, I'm sure that's right.

23 A. Yeah, I'd have to double-check. Yeah, the  
24 first two -- the first two pages here are the F250  
25 and the Escape that were used in the test.

1           A.       Typically don't see any changes in those  
2 pillars just with the addition of a sunroof.

3           Q.       What did you do to ensure the structures of  
4 the vehicles in the crash test were the same as the  
5 structures of the vehicles in the Brysons' crash?

6           A.       So in this particular case, the first  
7 vehicle that -- the vehicle that we actually tested  
8 showed up with a trailer hitch on it. And the Bryson  
9 vehicle, my understanding was it didn't have one on  
10 it, at least that we were requested to remove the  
11 trailer hitch, and so we did.

12          Q.       Okay. How about the roof structure, what  
13 did you do to make sure that the roof structure on  
14 the test vehicle was the same as the Brysons' roof  
15 structure on their Escape?

16          A.       So the rear area of the roof structure is,  
17 to my understanding, identical in both vehicles.

18          Q.       How do you have that understanding?

19          A.       Probably a conversation with Mr. Grimes.  
20 He would have -- I'm sure I would have asked the  
21 question and it may not have been something that was  
22 concerning to him since the sunroof's towards the  
23 front of the vehicle, and this test that we're  
24 running is an impact to the rear of the vehicle.

25          Q.       Okay. So you personally didn't do anything

1 to make sure that the roof structures were the same,  
2 is that fair, you were relying on Mr. Grimes?

3 A. Yes.

4 MR. HILL: Object to the form.

5 But go ahead.

6 THE WITNESS: Yes.

7 BY MS. CANNELLA:

8 Q. Okay. The -- the -- did the F250, the  
9 crashed F250 have a sunroof? I'm sorry, the crash  
10 test F250.

11 A. I don't remember off the top of my head.  
12 Would you like me to go through the test report?

13 Q. Go for it. Yes, sir.

14 A. The F250 -- the crash test F250 does have a  
15 sunroof.

16 Q. Okay. And do you know whether the F250 in  
17 our case had a sunroof?

18 A. I do not remember off the top of my head,  
19 no.

20 Q. And same question for the F250, was  
21 anything done to make sure that the structure of the  
22 F250 in the crash vehicle was the same as the  
23 structure in the F250 in the wreck -- in the subject  
24 wreck?

25 A. Other than matching VIN numbers, making



1 STATE OF ARIZONA )  
COUNTY OF MARICOPA )

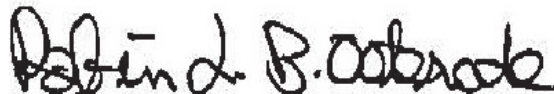
3 CERTIFICATE

4 I, ROBIN L. B. OSTERODE, Certified Shorthand  
5 Reporter for the State of California and Certified  
6 Reporter for the State of Arizona certify:

7 That the foregoing proceeding was taken by  
8 me; that I am authorized to administer an oath; that  
9 any witness, before testifying, was duly sworn to  
10 testify to the whole truth; that the questions and  
11 answers were taken down by me in shorthand and  
12 thereafter reduced to print by computer-aided  
13 transcription under my direction; that review and  
14 signature was requested; that the foregoing pages are  
15 a full, true, and accurate transcript of all  
16 proceedings, to the best of my skill and ability.

17 I FURTHER CERTIFY that I am in no way  
18 related to nor employed by any of the parties hereto,  
19 nor am I in any way interested in the outcome hereof.

20 DATED this 28th day of May, 2024.

21  
22  
23 

24 ROBIN L. B. OSTERODE, CSR, RPR

CA CSR No. 7750

25 AZ CR No. 50695